Case 2:23-cv-01302-JDP Document 15 Filed 12/18/23 Page 1 of 3

	· I	
1	PHILLIP A. TALBERT	
2	United States Attorney MATHEW W. PILE Associate General Counsel Office of Program Litigation, Office 7 CASPAR CHAN Special Assistant United States Attorney Social Security Administration	
3		
4		
5		
6	6401 Security Boulevard	
7	Baltimore, MD 21235 Telephone: 510-970-4810	
8	Facsimile: 415-744-0134 Email: Caspar.Chan@ssa.gov	
9	Attorneys for Defendant	
10	UNITED STATES DISTRICT COURT	
11	EASTERN DISTRICT OF CALIFORNIA	
12	SACRAMENTO DIVISION	
13		
	COBY MACALUSO,) Civil No. 2:23-cv-01302-JDP
14	Plaintiff,	STIPULATION AND [PROPOSED] ORDER
15 16	v.	FOR VOLUNTARY REMAND
	KILOLO KIJAKAZI,)
17	Acting Commissioner of Social Security,)
18	Defendant.)
19)
20		
21		
22		
23		
24		
25		
26		
27		
28		

Case 2:23-cv-01302-JDP Document 15 Filed 12/18/23 Page 2 of 3

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that this action be remanded for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of the remand is to offer Plaintiff a new decision.

On remand, the Commissioner will offer Plaintiff an opportunity for a new hearing, further develop the record as necessary, and issue a new decision. The parties further request that the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Date: <u>December 18, 2023</u>

Date: *December 18*, 2023

LAW OFFICES OF FRANCESCO BENAVIDES

By: <u>/s/ Caspar Chan for Francesco Benavides *</u> FRANCESCO BENAVIDES *Authorized by email on December 18, 2023 Attorneys for Plaintiff

PHILIP A. TALBERT United States Attorney Eastern District of California

By: /s/ Caspar Chan

CASPAR CHAN

Special Assistant United States Attorney
Attorneys for Defendant

ORDER Accordingly, it is hereby ORDERED that: 1. The Clerk of Court is directed to enter final judgment in favor of plaintiff, and against defendant. 2. Plaintiff's motion for summary judgment, ECF No. 9, is denied as moot. 3. The Clerk of Court is directed to close this matter. IT IS SO ORDERED. Dated: December 18, 2023 JEREMY D. PETERSON UNITED STATES MAGISTRATE JUDGE